

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. 07-cv-0113-MJR
)
\$54,500.00 IN U.S. CURRENCY,)
)
Defendant.)

ORDER GRANTING DEFAULT JUDGMENT OF FORFEITURE

REAGAN, District Judge:

The United States of America (the “Government” or “USA”) commenced this civil *in rem* forfeiture action via March 2007 verified complaint. The named Defendant/property is \$54,500 seized in July 2006 in Madison County, Illinois, within this Judicial District. Notices were issued, service was made, and status reports were filed. A single putative claimant was identified - Marcellino A. Manilla. Through his counsel (attorney Michael V. Cristalli of Las Vegas, Nevada) Manilla was in contact with the Government on this matter.

The Government secured a clerk’s entry of default against Manilla and all other interested parties on April 29, 2008 (Doc. 20), pursuant to Federal Rule of Civil Procedure 55(a). Now before this Court is the Government’s motion for default judgment, pursuant to Federal Rule of Civil Procedure 55(b). The motion (Doc. 21) seeks forfeiture of the property at issue, as requested in the verified complaint.

Specifically, the complaint - which describes the property as “\$54,500 in United States Currency” - identifies the currency as money furnished or intended to be

furnished by a person in exchange for a controlled substance, or proceeds traceable to such an exchange, and money used to facilitate in violation of 21 U.S.C. § 801, *et seq.*, which renders it subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6).

Review of the docket sheet reveals the following. Process was fully issued and returned according to law. The United States Marshal for this District seized the property on July 9, 2007, pursuant to an arrest warrant. Notice of this action was published in the Edwardsville Intelligencer newspaper on March 28, 2007, April 4, 2007 and April 11, 2007. A certificate of publication was filed here on July 3, 2007. As noted above, the sole putative claimant (Marcellino Manilla) and all other interested parties were defaulted on April 29, 2008 for failure to file a claim or answer within the time permitted by Rule C of the Supplemental Rules for Admiralty and Maritime Claims.

Therefore, the Court now **GRANTS** the Government's motion for default judgment of forfeiture (Doc. 21). The property - \$54,500 in U.S. currency - is **ORDERED FORFEITED** to Plaintiff USA. No right, title or interest in the property shall exist in any other party. The property shall be disposed of according to law by the United States Marshal for this District. Judgment **SHALL BE ENTERED** in favor of Plaintiff USA and against Defendant property as above-described.

DATED this 15th day of May 2008.

s/Michael J. Reagan
MICHAEL J. REAGAN
United States District Judge